

## UNITED STATES PATENT AND TRADEMARK OFFICE

SAEGU74.001AUS  
DEA/KOH/EBI

MG

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/804,509	03/12/2001	Akiko Shiota	SAEGU74.001AUS	1973

20995 7590 06/07/2004

KNOBBE MARTENS OLSON & BEAR LLP  
2040 MAIN STREET  
FOURTEENTH FLOOR  
IRVINE, CA 92614

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 06/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

09/804 509

COMMISSIONER FOR PATENT  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 145  
ALEXANDRIA, VA 22313-145  
www.uspto.gov

Paper No.

### Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 4-2-04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).**

#### THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☒ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: Previously added is not a proper identifier. Please submit correct status identifiers such as: previously amended

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

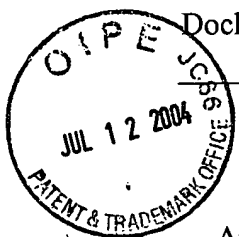
If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Juliana R. Farnam  
Legal Instruments Examiner (LIE)

571-272-1005  
Telephone No.

1713 Jfw



Docket No.: SAEGU74.001AUS

Customer No.: 20,995

**AMENDMENT / RESPONSE TRANSMITTAL**

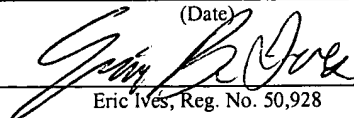
Applicant : Shirota et al.  
App. No. : 09/804,509  
Filed : March 12, 2001  
For : SOLID COMPOSITION  
Examiner : Reddick, M.  
Art Unit : 1713

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

July 7, 2004

(Date)

  
Eric Ives, Reg. No. 50,928

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Amendment and Response to Notice of Non-Compliant Amendment in 9 pages.
- (X) Copy of Notice of Non-Compliant Amendment.

The fee has been calculated as shown below:

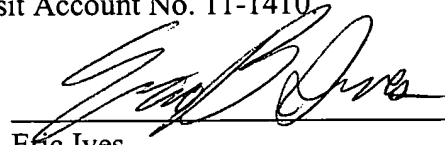
FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Total Claims	26 - 26 = 0	1202 (\$18)	0 x 18 =	\$0
Independent Claims	2 - 3 = 0	1201 (\$86)	0 x 86 =	\$0
Multiple Claim		1203 (\$290)		\$0
			<b>TOTAL FEE DUE</b>	<b>\$0</b>

- (X) Return prepaid postcard.

Docket No.: SAEGU74.001AUS

Customer No.: 20,995

- 
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410



---

Eric Ives  
Registration No. 50,928  
Agent of Record  
Customer No. 20,995  
(805) 547-5580

O:\DOCS\EB\NEBI-1523.DOC:vr  
070604

SAEGU74.001AUS

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shirota, et al.  
Appl. No. : 09/804,509  
Filed : March 12, 2001  
For : SOLID COMPOSITION  
Examiner : Reddick, M.  
Group Art Unit : 1713

AMENDMENT AND RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This amendment and response is responsive to the Final Office Action mailed September 30, 2003 and the Notice of Non-Compliant Amendment mailed June 7, 2004.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.